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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
11 AT TACOMA

12 VALENCIA BROOKS,

13 Plaintiff,

Case No. C05-5051RJB

14 v.

15 CITY OF TACOMA,

16 Defendant.

ORDER GRANTING
ATTORNEYS' FEES AND
COSTS

17 This matter comes before the Court on Defendant's Motion for Costs and Necessary
18 Disbursements. Dkt. 35. The Court has reviewed all documents filed regarding this Motion, has reviewed
19 the entire file, and is fully advised.

20 **I. BASIC and PROCEDURAL FACTS**

21 On January 19, 2005, Plaintiff filed the instant action, claiming that she had been subject to: A)
22 disparate treatment because of her race and gender, in violation of Title VII of the Civil Rights Act of
23 1964, B) retaliation as a result of engaging in protected activity, and C) a violation of her rights under the
24 Americans with Disabilities Act. Dkt. 1. Defendant's Motion for Summary Judgment on all claims was
25 granted on January 17, 2006, and the case was dismissed. Dkt. 34. Defendant now moves for statutory
26 attorneys' fees and costs. Dkt. 35.

II. DISCUSSION

Fed. R. Civ. P. 54(d)(1) provides that costs other than attorneys' fees shall be allowed to the prevailing party unless the court otherwise directs. Generally, claims for attorneys' fees may be made by motion. Fed. R. Civ. P. 54(d)(2). Under 28 U.S.C. § 1923, attorneys' fees may be taxed as costs in the amount of \$20.00.

6 As the prevailing party, Defendant is entitled to costs and statutory attorneys' fees. Fed. R. Civ. P.
7 54(d)(2); 28 U.S.C. § 1923. Defendant requests the following costs: fees for copies of depositions:
8 \$951.00, messenger fees: \$20.00, and statutory attorneys fees: \$20.00. Defendant have documented the
9 costs and Plaintiff has not contested the accuracy of the costs expended. Defendant should be awarded
10 \$991.00 as requested.

III. ORDER

Therefore, it is hereby,

13 **ORDERED** that the Defendant's Motion for Costs and Necessary Disbursements (Dkt. 35) is
14 **GRANTED**, Defendant is awarded to \$991.00.

15 The Clerk of the Court is directed to send uncertified copies of this Order to all counsel of record
16 and to any party appearing *pro se* at said party's last known address.

DATED this 26th day of January, 2006.

Robert J. Bryan
Robert J. Bryan
United States District Judge